

JS-6UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 2:23-cv-03100-AB-AFM

Date: June 5, 2023

Title: *Philip Emiabata v. Niagara Bottling, LLC, et al.*Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Appearing

None Appearing

**Proceedings: [In Chambers] ORDER DISMISSING CASE WITHOUT
PREJUDICE**

Plaintiff initiated this case on April 20, 2023. On May 4, 2023, the Court issued a Notice re: Discrepancies flagging Plaintiff's failure to submit the entire filing fee amount of \$402. The Notice informed Plaintiff that if Plaintiff was unable to pay the entire filing fee, that Plaintiff could request to proceed *in forma pauperis* to waive the fee. Plaintiff was instructed: "If you do not respond within THIRTY DAYS from the date above, your action will either be dismissed or remanded to state court, as appropriate."

As of the date of this Order, Plaintiff has not paid the filing fee, applied to proceed *in forma pauperis*, or otherwise responded to the Court's Notice re: Discrepancies. Accordingly, the case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.